

Appl. No. 10/632,788  
Response Dated October 18, 2005  
Reply to Office action dated August 24, 2005

**REMARKS/ARGUMENTS**

Applicants have received and carefully reviewed the Final Office Action of the Examiner mailed August 24, 2005. Claims 1, 2, 4-9, 12-23, and 25-28 have been amended, and claim 24 has been canceled. Support for the amendments is found in the specification, claims, and drawings as originally filed. No new matter has been added. Claims 1-23 and 25-28 remain pending. Reconsideration and reexamination are respectfully requested.

**Rejection under 35 U.S.C. § 103(a)**

Claims 1-3, 5-9, 12-15, 21-23, and 25-27 are rejected as being unpatentable over Pittman (US 6,123,147). The Examiner asserts that Pittman discloses, in blocks 80, 88, and 90 of FIG. 3, a method and system for controlling a HVAC system having a heating unit and a cooling unit in which the heating and cooling units are both operated if the room temperature is below the set point temperature and the humidity is above the humidity set point. Applicants respectfully traverse the rejection.

Claims 1, 2, 4-9, 12-23, and 25-28 have been amended to recite a forced air furnace, instead of a "heating unit". A forced air furnace was originally recited in dependent claim 24, which has now been canceled. With respect to claim 24, the Examiner states Coffman teaches the use of a forced air furnace in order to provide heating to an inside space. The Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the system of Pittman to use a forced air furnace in order to provide the heating rather than a hot water coil in view of the teachings of Coffman of using a forced air furnace to provide heating to an inside space.

Applicants respectfully traverse the rejection. Coffman teaches a combined heating and humidifying system in which water is sprayed into the warm air leaving the furnace. See column 1, lines 15-19 and FIG. 1. Applicants submit that neither reference provides any motivation, suggestion, or guidance for combining their teachings. The references are directed to very

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different systems and methods. Where Pittman teaches using a hot water coil to heat air that has been dehumidified, Coffman teaches to humidify the air leaving a forced air furnace. The methods and systems are so different in their structure, function and results, that their combination appears to be contrary to the teachings of each reference.

Additionally, Pittman teaches residential air conditioning systems as providing "refrigeration coils within a plenum of a forced air furnace" and teaches the "furnace blower circulates air across the refrigeration coils, cooling the air, and distributes the cooled air through the house." See column 1, lines 13-16. Pittman then teaches his "invention provides a humidity control system that may be easily retrofitted or added to a residential air conditioning system" and that his "humidity control system uses hot water from the residential hot water heater to reheat air exiting from the refrigeration coils." See column 1, lines 40-44. Pittman thus appears to teach his system as being added to a residential HVAC system already having a furnace, but according to Pittman, the hot water heater should be used as the source of heat to reheat air exiting from the refrigeration coils and not the furnace. As such, Applicants submit that Pittman actually teaches away from the claimed method because Pittman teaches a system using hot water from the hot water heater for reheating air instead of a furnace, as now claimed.

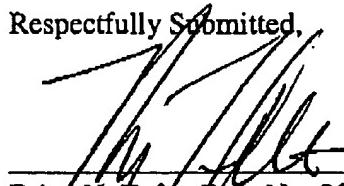
The fact that Pittman teaches using a hot water heater for reheating air instead of the furnace already present in a residential HVAC system appears to be a direct teaching away from the claimed methods, and clearly teaches away from a combination with Coffman. Applicants submit that, upon reading Pittman's teaching of using the hot water heater to reheat the air, instead of the existing furnace, one of ordinary skill in the art would have no motivation for removing the very elements taught by Pittman as his invention in order to achieve the method recited in claim 1. This is particularly so since the heat output of a forced air furnace it typically very different from that of a water heater.

In view of the foregoing, all pending claims 1-13 and 25-28 are believed to be clearly in condition for allowance. Reconsideration and reexamination are respectfully requested. If a telephone interview would be of assistance, please contact the undersigned attorney at 612-359-9348.

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Respectfully Submitted,

Date: October 18, 2005

  
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